



***Environmental
Planning
Commission***

***Agenda Number: XX
Project Number: 1004369
Case #'s: 05EPC-01393/01392
March 16, 2006***

Supplemental Staff Report

<i>Agent</i>	Consensus Planning
<i>Applicant</i>	Richard Gonzales, Garden Homes by RLG
<i>Request(s)</i>	Sector Plan Amendment Zone Map Amendment
<i>Legal Description</i>	Tract 36, Block 3, Lots 24-39, Westpark Addition
<i>Location</i>	Central Avenue SW between New York Avenue and the Albuquerque Country Club
<i>Size</i>	Approximately 1.26 acres
<i>Existing Zoning</i>	C-2
<i>Proposed Zoning</i>	R-T

Staff Recommendation

***WITHDRAWAL of 05EPC-01393, based on the
applicant's request.***

Staff Planner

Stephanie Shumsky, Planner

Summary of Analysis

In a letter dated March 1, 2006, the applicant requested withdrawal of this request. Staff recommends withdrawal.

Location Map (3" x 3")

City Departments and other interested agencies reviewed this application from 9/6/05 to 9/16/05.

Development Services Report

SUMMARY OF REQUEST

<i>Request(s)</i>	Sector Plan Amendment Zone Map Amendment
<i>Location</i>	<i>Central Avenue SW between New York Avenue and the Albuquerque Country Club</i>

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II & III Plans</i>	<i>Land Use</i>
<i>Site</i>	C-2	Established Urban; Huning Castle/Raynolds Addition Sector Development Plan	El Vado Auto Court/Motel
<i>North</i>	C-2	Central Urban	Restaurant
<i>South</i>	SU-1 Country Club and Golf Course	Established Urban; Huning Castle/Raynolds Addition Sector Development Plan	Golf Course
<i>East</i>	R-T	Established Urban; Huning Castle/Raynolds Addition Sector Development Plan	Townhomes
<i>West</i>	C-2	Established Urban; Old Town Historic Zone	Bio Park

Background, History and Context

This request is for a sector development plan map amendment and a zone map amendment for an approximately 1.26-acre parcel located on Central Avenue just south of New York Avenue and north of the Albuquerque Country Club. The requested zone change, from C-2 to R-T, will allow for the demolition of the existing motel and the development of ten new townhomes.

The motel that currently exists on the subject site is the El Vado Auto Court/Motel and is historically and culturally significant. In 1993, it was listed on both the State and National Registers of Historic Places (see Attachments B and C). According to the State nomination, "The El Vado Motel is one of the best examples of a largely unaltered pre-World War II tourist court remaining along Route 66 in New Mexico. Built along West Central Avenue in anticipation of the realignment of Route 66, the building is the oldest tourist court along the West Central Avenue commercial strip."

Since its designation as a State and National historic property, it has remained relatively unaltered and has appeared in several nationally distributed calendars and informational pieces related to the historic significance of Route 66 Auto Courts (see Attachment D).

The surrounding uses have changed little over the years. The residential densities to the east increased slightly with the development of several town homes in the late 1990's. The commercial zoning to the north has remained stable with various commercial businesses. The Albuquerque Country Club to the south provides neighborhood stability. Significant reinvestment in the Bio Park to the east and Tingly Beach to the south is ongoing and these facilities draw a significant number of visitors each year. The commercial use at the subject site has been in operation since 1936, thereby acting as a long-standing neighborhood anchor.

The reasons for the request, as stated in the applicant's letter of justification, are changed community conditions and the proposed zoning being be more beneficial to the community.

APPLICABLE PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in the area designated Established Urban by the *Comprehensive Plan* with a Goal to "create a quality urban environment, which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment." Applicable policies are (policies, or portions thereof, cited by the applicant in the letter of justification are in italics):

Policy a: The Developing Urban and Established Urban Areas as shown by the Plan map shall allow a full range of urban land uses, resulting in an overall gross density up to 5 dwelling units per acre.

Policy d: *The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.*

Policy h: *Higher density housing is most appropriate in the following situations:*

- *In designated Activity Centers.*
- *In areas with excellent access to the major street network.*
- *In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.*
- *In areas now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per net acre.*
- *In areas where a transition is needed between single-family homes and much more intensive development: densities will vary up to 30 dwelling units per net acre according to the intensity of development in adjacent areas. (See also Policy 7.b relative to Activity page 39.)*

Policy k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

Policy o: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

Historic Resources

Goal: to protect, reuse, or enhance significant historic districts and buildings.

Policy a: Efforts to provide incentives for the protection of significant districts and buildings shall be continued and expanded.

Policy b: Research, evaluation, and protection of historical and cultural properties in the City and County shall be continued.

Policy c: Increase public and inter-agency awareness of historic resources and preservation concerns.

Community Identity and Urban Design

Goal: to preserve and enhance the natural and built characteristics, social, cultural and historical features that identify Albuquerque and Bernalillo County sub-areas as distinct communities and collections of neighborhoods.

Policy e: Roadway corridors (collectors, arterials, Enhanced Transit and Major Transit) within each community and that connect the community's Activity Centers shall be designed and developed to reinforce the community's unique identity.

Transportation and Transit

Goal: to develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.

Policy a: This policy refers to Table 11. The table presents ideal policy objectives for street design, transit service, and development form consistent with Transportation Corridors and Activity Centers as shown on the Comprehensive Plan's Activity Centers and Transportation Corridors map in the Activity Centers section. Each corridor will undergo further analysis that will identify design elements, appropriate uses, transportation service, and other details of implementation.

Policy c: In order to add to transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets.

Economic Development

Goal: to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

Policy d: Tourism shall be promoted.

Noise

Goal: to protect the public health and welfare and enhance the quality of life by reducing noise and by preventing new land use/noise conflicts.

Policy a: Noise considerations shall be integrated into the planning process so that future noise/land use conflicts are prevented.

Policy b: Construction of noise sensitive land uses near existing noise sources shall include strategies to minimize adverse noise effects.

Public Safety

Goal: To develop a safe and secure community in cooperation with the public and other governmental agencies.

Policy c: *Emergency and routine crime prevention efforts shall be continued and improved.*

Huning Castle and Raynolds Addition Sector Development Plan (Rank 3)

The Huning Castle and Raynolds Addition Sector Development Plan is a rank-three plan adopted in January 1981. It has since had several amendments the most recent occurring in 2002. The area covered by the Plan is bounded approximately by Central Avenue on the north and west, 8th Street on the east, Gold Avenue on the north, Alcalde and the Rio Grande on the south. This area includes the Huning Castle and Raynolds Addition neighborhoods including the residential area north of the Albuquerque Country Club. Major issues that prompted the Plan are transportation, zoning, and land use. The purpose of the Plan is to define and propose solutions for problems in small areas of the city that need particular attention. The Plan outlines a strategy for maintaining the area's special qualities, including varied architectural styles, mature landscaping, and neighborhood scale.

The Plan establishes zoning and sets forth several land use and transportation goals, objectives, and recommendations beginning on page 4 of the Plan. Goals, objectives and recommendations applicable to this request are:

Goal 1: Land Use and Zoning

Recommendation B: Implement zoning changes as proposed in Map 6.

Goal 2: Transportation

Objective A1: Reduce traffic volume and speed on local streets.

Goal 8: Historic Preservation

Objective A1: Preserve structures of historic significance.

The Proposed Zoning map (Map 6) on page 15 of the Plan shows the zoning at the subject site to be C-2.

In the Historic Preservation chapter of the plan (Chapter VIII, pg. 33), there are details about the importance of recognizing and valuing historically significant properties within the area. The details include ways in which owners of such properties may qualify for tax benefits in order to maintain and rehabilitate historic properties. The El Vado Motel's historic registration makes state and federal tax credits available for its rehabilitation.

Central Avenue Streetscape Urban Design Master Plan

The Central Avenue Streetscape Urban Design Master Plan was adopted in 2002 (R-02-24) and is intended to serve as a blueprint to guide the redevelopment of Central Avenue and the streetscape over time. The master plan is a physical design master plan for the area within the Central Avenue public right-of-way and includes recommendations for redevelopment projects that would also be the City's responsibility. The master plan provides guidance for City capital improvements expenditures within the City limits. The master plan was adopted by the City Council to ensure that all future roadway and streetscape projects are consistent with an overall vision for Central Avenue.

The design objective of this plan is to create an attractive corridor that provides for multiple transportation modes. The master plan is conceptual and the actual improvements to be funded and built will be determined at the final design stage. Acquisition of private properties for enhancements will occur if the properties are needed to accomplish the final design and as funding is available.

Resolution 270-1980 (Policies for Zone Map Change Applications)

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code (see Attachment A). There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

The applicant states in the letter of justification that "the primary justification underlying this request is that the residential zoning would be more beneficial to the community since the current use is no longer considered appropriate for this location and the motel has attracted a transient population. The secondary justification for this request is based upon the numerous changed neighborhood conditions in and around the community."

The applicant cites *Comprehensive Plan* policies in support of the request. In the letter of justification, R-270-1980 sections A-J are addressed by the applicant. Staff analysis of the justification is provided below.

Long Range Roadway System

The Long Range Roadway System designates Central Avenue SW as a Principal Arterial, with a right-of-way of 124' (Established & Developing Urban) or 156' (elsewhere).

Public Facilities/Community Services

The subject site is east of the Bio Park and north of Tingley Beach (currently under construction). The Rapid Ride (#766) and the #66 bus route are along Central Avenue. Both have bus stops in close proximity to the subject site.

ANALYSIS-Zone Map Amendment

Conformance to Adopted Plans, Policies, and Ordinances

Comprehensive Plan

The Established Urban Area goal is furthered by the existing zoning and partially furthered by the proposed zoning because both zone categories allow uses that can contribute to a quality urban environment. The west Central Avenue area is identifiable because of its mix of commercial uses and destinations (Bio Park, Tingley Beach, Bosque, Rio Grande, etc.). The existing zoning more closely compliments these uses because it allows for the existing motel, which contributes to the area amenities since it is a tourist attraction and provides a lodging option for area visitors. In addition, the C-2 zone allows for a diverse range of uses, which compliment other existing commercial uses along the Central Avenue Corridor. The proposed residential zoning, while more appropriate a block or two away from Central Avenue, may be in conflict with some existing commercial uses located on or in close proximity to Central Avenue. Also, the traffic and noise from Central Avenue may adversely affect future residents.

Policy a is furthered by both the existing and the proposed zoning because both allow uses that are consistent with the health, safety, morals and welfare of the City. Commercial uses and high-density residential uses (generally, R-2 and R-3 multifamily uses) are both called for within the west Central Avenue Corridor. However, while the highest density commercial and residential zones are located adjacent to Central Avenue, the moderate to lower density residential zoning is located a block or two away from Central Avenue.

Policy d is partially furthered by the proposed zone change. Both the existing and proposed zoning further policy d because each allows uses that could compliment the surrounding residential and commercial development. However, the proposed R-T zoning will adversely affect the scenic resources and other area resources because it does not allow for the existing use, which is considered both a scenic resource and an area resource. The proposed zoning could negatively impact the surrounding businesses

that depend on visitors staying at the El Vado Motel. The existing zoning (C-2) allows a variety of uses, many of which already exist along this portion of Central Avenue, and acts as a buffer zone between the roadway and the residential neighborhood to the south. The proposed R-T zoning is not common adjacent to Central Avenue and will create a gap in this buffer zone and will bring residential development much closer to Central Avenue.

Within the Central Avenue Corridor, the higher density residential zoning that exists is primarily R-2, R-3 and/or mixed-use commercial/residential. The higher density housing called for in policy h would be better achieved with R-2 and R-3 zoning, similar to what already exists in this area of Central Avenue. The proposed R-T zoning is generally not found along Central Avenue and could be considered moderate density within this area.

Policy h is partially furthered by this request because the policy clearly states that higher density housing is most appropriate in areas with excellent access to the major street network, in areas where a mixed density pattern is already established by zoning or use, and where it is compatible with existing area land uses and where adequate infrastructure is or will be available. The location of the subject site meets each of these conditions. However, policy h is not furthered by the request because the proposed zoning will not provide a transition but will eliminate an existing one. The existing C-2 zoning provides a buffer between the noise and activity on Central Avenue and the residential area to the east.

Policy k is not furthered by the request for much the same reason that policy h is not furthered. The existing zoning provides a buffer that minimizes the negative effects of traffic on the established residential area. A zone change to R-T may create new land use conflicts for the residents of the new dwelling units since they will be adjacent to Central Avenue with relatively little buffer area.

Policy o encourages redevelopment and rehabilitation of older neighborhoods. Policy o is not necessarily furthered by a change in zoning. Redevelopment and rehabilitation can occur under the existing zoning and because of the many uses allowed in the C-2 zone, options for redevelopment and rehabilitation may be greater. In addition, because the existing use is considered a historically and culturally significant use, tax credits are available for rehabilitation.

Historic Resources

The Historic Resources goal and policies a, b, and c are not furthered by the requested zone change to R-T. Primarily because the existing use at the subject site, the historic El Vado Motel/Auto Court, would not be permissive in the requested zone. The El Vado Motel is on both the National and State of New Mexico Historic Registers and, while not formally designated as an Albuquerque Landmark, is internationally known as an icon of Historic Route 66.

The proposed zone change and subsequent demolition of a historic resource does not further the Historic Resources goal, which is to protect, reuse, or enhance significant historic districts and buildings. The applicant recently met with City Staff to discuss avenues for the protection of the motel as a historic property. Based on this initial meeting, the applicant felt that the option of rehabilitating the motel was cost prohibitive and that the development of new townhomes was a more economically viable option. Policy a provides direction to the City to assist owners of historic properties in exploring preservation/rehabilitation options. The City is still in the process of evaluating the options for this historic resource. Policy a will not be furthered by changing the zoning in this midst of this exploration.

Policy b is not furthered by this request because a zone change and demolition of a historic resource will eliminate any opportunity for research, evaluation, and further protection of this historical and cultural property. It also eliminates the possibility for a new owner to invest in rehabilitation of the property. Simply because the current owner and the applicant do not find the property economically viable does not mean that another individual will not see the value in maintaining its historic qualities. For similar reasons, policy c will not be furthered by this request. The zone change will eliminate the opportunity to educate the public or interagency departments about this local, state, and national historic resource.

Community Identity and Urban Design

The Community Identity and Urban Design goal is not furthered by this request because the proposed zoning does not allow for the preservation of the existing use (El Vado Motel), which is essential to the Route 66 identity of Central Avenue. The El Vado Motel contributes to the unique character of not only the immediate area in which it is located but also of the entire Albuquerque community. Albuquerque is known worldwide for its location on Historic Route 66 and for the unique motels, auto courts, restaurants, neon signs, and other uses along this route. These uses, among others, identify Albuquerque as a one-of-a-kind community and draw thousands of tourists to this region each year.

Policy e is not furthered by the requested zone change because Central Avenue is the location of many historic properties. These uses have created and continue to reinforce the Route 66 identity that the City prospers from in many ways. The zone change to R-T will destroy a significant portion of that identity because the existing use will not be allowed within the R-T zone. In addition, the requested, conventional zoning will not ensure that new/proposed development will contribute to the urban form along Central Avenue/ Route 66.

The existing use is only one aspect of why this policy will not be furthered. Another of Central Avenue's identifying characteristics is the higher density commercial and residential (R-2 and R-3) zoning that abuts it on the north and south as it extends through the City of Albuquerque. Generally, single-family (detached or attached) residential dwelling units are not appropriate along this corridor due to the adverse effects of traffic and noise.

Transportation and Transit

The Transportation and Transit goal encourages the development of a balance between the transportation circulation system and adjacent land uses. Policy a (Table 11) provides direction as to the type of development that is appropriate along Major Transit Corridors in order to create the desired balance. Policy a calls for commercial or high-density residential development (preferably 10-35 DU/acre(net)) along these corridors. Generally, this is the type of higher density development that currently exists along Central Avenue. The townhouse development envisioned by the applicant does not meet this density requirement.

Along most area of Central Avenue, a mix of transitional land uses exist a block or two north and south of Central Avenue which ultimately transition into single-family residential zoning (R-1, R-LT, and R-T). This general transition from primary arterials to residential neighborhoods is seen throughout the City and is not unique to Central Avenue. The requested zone change would eliminate an existing

transition and would create an imbalance of uses, placing a lower density residential use directly adjacent to a high traffic and commercially zoned area.

While the requested zone change would allow for residential development that could potentially add to transit ridership, the current zoning allows for a wide range of uses that could potentially (and perhaps already does) add far more transit riders. Policy c encourages residential development close to Major Transit corridors that increases transit ridership and does not destabilize neighborhoods. The proposed zone change does not further this policy because the proposed zoning may destabilize the existing synergy among the adjacent commercial businesses. In addition, the existing zoning has proven to be a stable zoning designation at the subject site for many years (the existing use has been there since 1936!). The businesses in the area are also part of the neighborhood and a synergy has been created over the years and is dependent on transit riders, pedestrians, and other businesses for its continuance. The proposed R-T zoning will create a gap where none exists today and could destabilize the neighborhood by eliminating an existing transition and buffer to the residential area and by reducing the synergy that exists between the adjacent businesses.

Economic Development

The Economic Development goal is not furthered by this request because the existing commercial zoning allows far more uses that contribute to the economic vitality of the area. R-T zoning allows for residential uses, which do not significantly contribute to the economic development of a community. The elimination of the existing commercial zoning means the elimination of job opportunities for area residents and the synergy that is vital for area businesses. Old Town and the Bio Park are two of the most frequently visited areas by visitors to Albuquerque. The existing C-2 zoning allows many uses that add to the economic stability of this area and can contribute to the mix of tourist destinations (in fact, El Vado Motel is one of the existing tourist destinations in the area).

Policy d is clearly not furthered by the proposed zone change. The proposed R-T zoning does not increase or promote tourism. Uses that promote tourism and that may be tourist destinations are appropriate in this area since it is one of the areas of the City that tourists come to see. The existing C-2 zoning allows many uses that support and encourage tourism.

Noise

The Noise goal is not furthered by this request because the zone change will create new land use/noise conflicts by allowing lower-density residential units adjacent to a Major Transit Corridor. By retaining the existing zoning policy a will be furthered because new land/use noise conflicts will be prevented. Lower-density residential zoning is considered a noise sensitive land use and may require costly noise mitigating measures (policy b). The applicant suggested that landscaping, walls and a gate would be used to create a barrier between the development and Central Avenue. Staff believes that the construction of walls and a gate negatively impacts other City goals and policies related to interconnectivity and walkability of neighborhoods.

Public Safety

The applicant implies in the letter of justification that the El Vado Motel is a nuisance property by generalizing about the condition of older motels east of the Rio Grande to the State Fair Grounds. While it is true that several older motels throughout the City have become nuisances and many have since been demolished, this is not the case of the El Vado Motel. The El Vado is actively advertised as a tourist destination and while the property does need some reinvestment, it is far from being considered a nuisance property. The motel is generally well maintained and has advertising banners hanging on the walls that emphasize its historic significance, many years of hospitality on Route 66, and “millions” of customers since 1936.

Aside from the current use and the implication of the use being a nuisance property, the zoning of a parcel of land is not indicative of it being a nuisance property. Properties, no matter what the zoning, become nuisances when neglected. There are many residential properties throughout the City that could be considered nuisance properties. The proposed R-T zoning is no guarantee that the properties will not become nuisances. Allowing a property to become a nuisance is the result of neglect by the property owner, not a result of the zoning. Therefore, the Public Safety goal will not necessarily be furthered by a change in zoning. The Public Safety goal and policy c apply to the site regardless of zoning and are the responsibility of the property owner and the City.

The applicant intends to develop 10 townhomes that are gated and separated from the surrounding neighborhood by a perimeter wall. Several area residents provided letters of opposition to the zone change (see letters in the Neighborhood Notification section of the packet) and among the issues of concern was the gated aspect of the proposed development. Gated developments are generally discouraged because they conflict with City goals and policies that encourage neighborhood connectivity and connectivity to transportation corridors (Transportation and Transit Policies a and g, Public Safety goal). Perimeter walls and gates limit access to the neighborhood, are not engaging to pedestrians, and discourage walkability. This means fewer “eyes on the streets” and a decrease in neighborhood connectivity by constructing barriers where none exist today.

Huning Castle and Raynolds Addition Sector Development Plan

Goal 1, Recommendation B is not furthered by this request because the proposed zone change is not proposed in Map 6. The Proposed Zoning Map (Map 6) on page 15 of the Plan shows the zoning at the subject site to be C-2. The Plan reflects the appropriateness of this zoning and reinforces the expectation of adjacent property owners that the zoning will remain C-2.

Goal 2, Objective A1 is not furthered by the request because City policies discourage residential access directly on major arterials if it can be avoided. The intended development of 10 townhomes will have access solely onto New York Avenue. This will increase traffic volumes on this local street. The existing development can only be accessed from Central Avenue thereby eliminating cut through neighborhood traffic.

Goal 8, Objective A1 is not furthered by this request since the existing historically significant structure is not permitted in the requested R-T zone.

Central Avenue Streetscape Urban Design Master Plan

The subject site is located in the Old Town/Bosque District as identified by the plan in section 3.2 (pg. 3-11). The El Vado Motor Court is identified for historic conservation and preservation along with several other historic and cultural resources. The plan identifies the El Vado Motel as a community asset and substantiates its value by including it on the plan maps with adjacent streetscape improvements. The plan includes the motel with the streetscape improvements. The motel is not identified as a hindrance to the furtherance of this plan but as a contributor to the unique function and character of this portion of Central Avenue. The requested zone change will not prevent the implementation of this plan however it will facilitate the demolition of the El Vado Motel, which is a key element of the plan in this section of Central Avenue.

R-270-1980

Resolution-270-1980 establishes policies by which a zone change may occur. In the letter of justification, the applicant addressed all of the policies of R-270-1980 (A-J) and indicated that: "the primary justification underlying this request is that the residential zoning would be more beneficial to the community since the current use is no longer considered appropriate for this location and the motel has attracted a transient population. The secondary justification for this request is based upon the numerous changed neighborhood conditions in and around the community."

The applicant cited many policies that he felt supported the request as required by Policy D.3. Staff provided analysis of those policies and others that were not cited by the applicant, as stated above. The request is in significant conflict with applicable policies of the Comprehensive Plan and Huning Castle and Raynolds Addition Sector Development Plan.

Several letters from neighborhood residents, city staff, and professional organizations have been received regarding this request. Only two of these letters imply that the proposed zoning is more advantageous to this neighborhood or the greater community. Several issues of concern are raised in the letters (see letters in the Neighborhood Notification section of the packet)

In summary, staff does not believe the applicant adequately justified why or how the proposed R-T zoning is or would be more beneficial to the community. Nor did the applicant show why the existing zoning is no longer appropriate at this location. In addition, the applicant did not specify a logical nexus resulting in changed neighborhood conditions that would warrant a zone change of the property. The applicant's letter mentions policy changes that have taken place over the past few years but it did not specify zone changes in the area that have made the existing zoning less appropriate than the requested zoning. Recent development and reinvestment in the West Central Avenue area provides evidence that the existing C-2 zoning is viable and necessary to contribute to the continued reinvestment and vitality of the area.

ANALYSIS-Sector Development Plan Amendment

The analysis provided for the zone map amendment also applies to the request for an amendment to the Huning Castle/Raynolds Addition Sector Development Plan. The sector plan specifies C-2 zoning for

the subject site on the Proposed Zoning Map on page 15 of the Plan. The zoning that exists in the area has not changed significantly from what was approved with the Plan over 24 years ago. Staff does not believe that the applicant adequately justified the zone change request and therefore the accompanying sector plan amendment request is not justified.

Zoning

The subject site is currently zoned C-2. A zone change to R-T is requested.

Concerns of Reviewing Agencies / Pre-Hearing Discussion

No significant comments were received by reviewing agencies and departments. A letter requesting denial of the zone change was received from the City's Urban Design Planner and is included with the staff report packet.

Neighborhood Concerns

The Huning Castle and the West Park Neighborhood Associations as well as property owners within 100' were notified of this request. A facilitated meeting was held on Thursday October 6th at 6:30pm at the Police Substation on the corner of Central Avenue and Rio Grande.

The West Park and the Riverview Heights Neighborhood Associations provided letters of opposition to the requested zone map amendment. Additional letters of opposition were received from area residents, concerned citizens and organizations. Two letters of support were also received. Copies of all letters are included in the staff report packet.

Conclusions

In conclusion, the applicant has not provided sufficient evidence as required by R-270-1980 to support the requested zone change. Much of the justification provided by the applicant hinged on speculation about the property being a nuisance to the neighborhood, which no evidence was provided in support of. In addition, the applicant's belief that the development of residential units will be more economically beneficial to him is a key determinant in this request. The applicant has not shown by preponderance of the evidence or of City policies why the existing zoning is no longer appropriate or why the requested zoning is more appropriate. Especially, when a majority of the surrounding zoning is C-2 and has remained so for many years. The preponderance of applicable City goals and policies support the existing zoning and would not be furthered by a change to R-T zoning. Based on this, staff recommends denial of the zone change request.

The requested amendment to the Huning Castle and Raynolds Addition Sector Development Plan is dependent on a successful zone change. Staff recommends denial of the sector development plan amendment.

FINDINGS – 05EPC-01393 October 20, 2005 (Sector Development Plan Amendment)

1. This request is for an amendment to the Huning Castle and Raynolds Addition Sector Development Plan zoning map. This amendment depends on an accompanying zone map amendment request (05EPC-01392)
2. The Huning Castle and the West Park Neighborhood Associations, as well as property owners within 100', were notified of this request. A facilitated meeting was held on Thursday October 6th at 6:30pm at the Police Substation on the corner of Central Avenue and Rio Grande.
3. Staff recommends denial of the sector development plan map amendment based on the recommendation of denial for the accompanying zone map amendment. The facilitated meeting report indicates general neighborhood opposition to this request.

RECOMMENDATION - 05EPC-01393 October 20, 2005

DENIAL of 05EPC-01393, a request for an amendment to the Huning Castle and Raynolds Addition Sector Development Plan zoning map from C-2 to R-T, for Tract 36, Block 3, Lots 24-39, Westpark Addition based on the preceding Findings.

FINDINGS – 05EPC-01392 October 20, 2005 (Zone Map Amendment)

1. This request is for a zone change from C-2 to R-T for an approximately 1.26 acre site known as Tract 36, Block 3, Lots 24-39, Westpark Addition located on Central Avenue SW between New York Avenue and the Albuquerque Country Club.
2. Many *Comprehensive Plan* goals and policies are not furthered by this request:
 - a. Established Urban Area Policies d, h and k are not furthered because R-T zoning will adversely affect the scenic resources and other area resources because it does not allow for the existing use, which is considered both a scenic resource and an area resource and it will create a gap in the existing buffer zone between the residential area and Central Avenue.

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- b. Policy o is not furthered by a change in zoning. Redevelopment and rehabilitation can occur under the existing zoning and because of the many uses allowed in the C-2 zone, options for redevelopment and rehabilitation may be greater.
 - c. The Historic Resources goal and policies a, b, and c are not furthered because the existing historic property (El Vado Motel) would not be permissive in the requested zone and demolition of the structures will eliminate any opportunity for research, evaluation, and further protection of the property. It also eliminates the possibility for a new owner to invest in rehabilitation of the property.
 - d. The Community Identity and Urban Design goal and policy e are not furthered because the proposed zoning does not allow for the preservation of the existing use (El Vado Motel), which is essential to the Route 66 identity of Central Avenue. In addition, the requested, conventional zoning will not ensure that new/proposed development will contribute to the urban form along Central Avenue/ Route 66.
 - e. The Transportation and Transit goal and policies a and c are not furthered because the townhouse development envisioned by the applicant does not meet the minimum density requirement for major transit corridors (commercial and/or high-density residential development at 10-35 DU/acre). The proposed zone change will destabilize the existing commercial development within the neighborhood by reducing the synergy that exists between the adjacent businesses.
 - f. The Economic Development goal and policy d are not furthered because the existing commercial zoning allows far more uses that contribute to the economic vitality and mix of tourist destinations in the area. R-T zoning does not increase or promote tourism.
 - g. The Noise goal and policy a are not furthered because the zone change will create new land use/noise conflicts by allowing lower-density residential units adjacent to a Major Transit Corridor.
 - h. The Public Safety goal will not necessarily be furthered by a change in zoning. The Public Safety goal and policies apply to the site regardless of zoning and are the responsibility of the property owner and the City.
3. Several Huning Castle and Raynolds Addition Sector Development Plan goals are not furthered by this request:
- a. Goal 1, Recommendation B is not furthered because the proposed zone change is not proposed in Map 6 of the Plan.
 - b. Goal 2, Objective A1 is not furthered because the envisioned R-T development of 10 townhomes will have access solely onto New York Avenue, which will increase traffic volumes on this local street.
 - c. Goal 8, Objective A1 is not furthered since the existing historically significant structure is not permitted in the requested R-T zone.

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4. The requested zone change will not prevent the implementation of the Central Avenue Streetscape Urban Design Master Plan but it will eliminate the El Vado Motel, which is a key element in the Old Town/Bosque District of this Plan.
 5. The applicant addressed each policy of R-270-1980 but has not sufficiently justified the request per these policies:
 - a. The proposed zoning (and the existing zoning) are both consistent with the health, safety, morals, and general welfare of the City (Section 1.A.).
 - b. The applicant has not provided a sound justification for the change (Section 1.B.).
 - c. The change is in significant conflict with several Comprehensive Plan goals and policies as well as Goal 8 Objective A1 of the Huning Castle/Raynolds Addition Sector Development Plan (Section 1.C.).
 - d. The applicant has not adequately demonstrated that the proposed zoning is more appropriate than the existing zoning based on policies articulated in the Comprehensive Plan and other City master plans and has not provided evidence of a logical nexus in changed neighborhood conditions that would warrant a zone change to R-T (Section 1.D.2 and 1.D.3.).
 - e. Generally, R-T uses are not considered harmful to the neighborhood but in this case the surrounding commercial properties may be adversely affected by a loss in synergy provided by the existing commercial zoning (Section 1.E.).
 - f. No un-programmed capital expenses would be incurred by a change to R-T zoning (Section 1.F.).
 - g. The letter of justification does not specifically state economic considerations as the primary reason for the request, however, based on a lack of supporting policy, staff concludes that economic considerations are a significant reason for the request (Section 1.G.).
 - h. Location of the subject site on a Major Transit Corridor is only one aspect of justification for the request. It is also only one aspect for the justification of retaining the existing zoning (Section 1.H.).
 - i. A zone change to R-T would not create a spot zone (Section 1.I.).
 - j. A zone change to R-T would not create a strip zone (Section 1.J.).
 6. Several letters of opposition to this request have been received from area residents, City staff, and concerned citizens.

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7. The Huning Castle and the West Park Neighborhood Associations as well as property owners within 100' were notified of this request. A facilitated meeting was held on Thursday October 6th at 6:30pm at the Police Substation on the corner of Central Avenue and Rio Grande. The facilitated meeting report indicates general neighborhood opposition to this request. The Riverview Heights and the West Park Neighborhood Associations are formally opposed to this request.

RECOMMENDATION - 05EPC-01392 October 20, 2005

DENIAL of 05EPC-01392, a request for zone map amendment from C-2 to R-T, for Tract 36, Block 3, Lots 24-39, Westpark Addition, based on the preceding Findings.

*Stephanie Shumsky
Associate Planner*

cc: Richard Gonzales, Garden Homes by RLG, P.O. Box 23185, Albuquerque, NM 87192
Consensus Planning, 302 8th St. NW, Albuquerque, NM 87102
Lynn Hightower, Huning Castle NA, 1711 Los Alamos SW, Albuquerque, NM 87104
Diane Souder, Huning Castle NA, 1709 Kit Carson SW, Albuquerque, NM 87104
Matt Celesky, West Park NA, 2213 New York SW, Albuquerque, NM 87104
Isaac Benton, West Park NA, 204 Gallup Ave. SW, Albuquerque, NM 87104
William Perkins, P.O. Box 2636, Albuquerque, NM 87048
Annelle Darby, 2414 Central Ave. SE, Suite 130, Albuquerque, NM 87106
Patrick Baca Jr., 1206 Riverview Dr. NW, Albuquerque, NM 87105
Robert Peters, P.O. Box 3666, Albuquerque, NM 87190-3666
Lee Gamelsky, 2412 Miles Road SE, Albuquerque, NM 87106
66 Productions, P.O. Box 60463, Albuquerque, NM 91116-6463
William Dodge, LUCC

Attachments

- A. R-270-1980 Criteria for Zone Change Requests***
- B. National Register of Historic Places Nomination***
- C. NM State Register of Cultural Properties Listing***

D. Picture of existing C-2 use (El Vado Motel)

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

Reviewed, no comments

Office of Neighborhood Coordination

PUBLIC WORKS DEPARTMENT

Transportation Development (City Engineer/Planning Department):

- Reviewed, no comments.

Hydrology Development (City Engineer/Planning Department):

- The Hydrology Section has no objection to the zone map amendment request, and no adverse comments regarding the Sector Development Plan.

Transportation Planning (Department of Municipal Development):

- Reviewed, no comments regarding on-street bikeways, off-street trails or roadway system facilities.

Traffic Engineering Operations (Department of Municipal Development):

- Reviewed, no comments.

Street Maintenance (Department of Municipal Development):

- Reviewed, no comments.

Utility Development (Water Authority):

- No adverse comments.

Water Resources, Water Utilities and Wastewater Utilities (Water Authority):

- Reviewed, no comments.

New Mexico Department of Transportation (NMDOT):

- Reviewed, no comments.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, WATER AUTHORITY and NMDOT:

Conditions of approval for the proposed Sector Development Plan and Zone Map Amendment shall include: None.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

Future residential development will be subject to Impact Fees for Parks, Recreation, Trails and Open Space due at Building Permit.

There is 1 park within ½ mile of the proposed development.

Old Town Plaza is .398 acres with a gazebo and electrical hook-up for event use.

Open Space Division

No adverse comment.

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

No adverse comments.

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

Adjacent and nearby routes	The #66 Central and #766 Rapid Ride routes pass the site. The #36 12 th Street/Rio Grande route comes as close as Central and Rio Grande, slightly more than ¼ mile away, and the #21 Downtown/Old Town Trolley is slightly farther at the Old Town Plaza.
Adjacent bus stops	No stops are immediately adjacent to the site. The #766 Rapid Ride has a pair of stops at Central and Tingley, well within ¼ mile of the site, and another pair of stops at Central and Rio Grande, slightly more than ¼ mile away, where the #66 and #36 stop as well. The #66 Central has stops on Central within several hundred feet of the site to the northeast.
Site plan requirements	N/A
Large site TDM suggestions	N/A
Other information	The Comprehensive Plan identifies Central as a Major Transit Corridor and Rio Grande north of Central to Indian School as an Enhanced Transit Corridor.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

MID-REGION COUNCIL OF GOVERNMENTS

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

No comment based upon the information provided to date